



State Water Resources Control Board



IRNAME

Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
FAX: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

JAN 11 2006

In Reply Refer to:
331:WT:S004740

City of St. Helena
c/o Jonathon Goldman
1480 Main Street
St. Helena, CA 94574

WATER RIGHT INQUIRY, NOTICE OF PREPARATION, UPPER YORK CREEK RESERVOIR IN NAPA COUNTY

On September 19, 2006, the City of St. Helena (City) circulated its Notice of Preparation (NOP) for the Upper York Creek Reservoir Ecosystem Restoration Draft Environmental Impact Report. The NOP indicates that the Upper York Creek Reservoir is no longer a viable water source for the City due to decades of accumulated sediment trapped behind the dam. The sediment has become a potential hazard to the downstream fishery. The City, in cooperation from the U.S. Corps of Engineers, has proposed four potential alternatives for restoration of the riparian and riverine habitat.

The Division of Water Rights (Division) records were reviewed for documentation of any York Creek diversions held by the City. The Division has no records on file that would support a valid claim by the City for storage rights in Upper York Creek Reservoir. Any future storage water in Upper York Creek Reservoir will require that an Application to Appropriate Water be filed with the State Water Resources Control Board¹, which may affect the selection of potential restoration alternatives.

According to the NOP, by 1993 water in the Upper York Creek Reservoir was no longer used because excessive sedimentation had eliminated its storage capacity. Nonuse is a failure to put water to beneficial use for a period of years and can lead to the loss of an appropriative water right. The courts have held that pre-1914 rights can be lost as the result of five years' nonuse (Smith v. Hawkins 42 P. 454). Therefore, the City's pre-1914 right to store water in the Upper York Creek Reservoir is no longer valid.

In 1969, the City documented its basis of right for direct diversion of water from York Creek and for storage of water in Lower York Creek Reservoir by filing a Statement of Water Diversion and Use (Statement) with the Division. Statement No. 4740 was subsequently issued for the claimed right. The City's last supplemental report on the water use under Statement No. 4740 was for the period of 1996 through 1998.

¹ The Application form is obtainable by visiting the Division's website found at <http://www.waterrights.ca.gov/forms/#application>.

California Environmental Protection Agency

IRNAME

u, 1/8/07

chw 1/8/07

Recycled Paper

City of St. Helena
Notice of Preparation

- 2 -

If you have any questions regarding this matter, please contact me at (916) 327-4807 or by e-mail at wtoy @ waterboards.ca.gov

Sincerely,

ORIGINAL SIGNED BY:

Whalen Toy
Water Resource Control Engineer

U:\Herdr\WTOY\S4240 status(wt 1-8-07).doc



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Sean Walsh
Director

Notice of Preparation

September 19, 2006

To: Reviewing Agencies

Re: Upper York Creek Ecosystem Restoration
SCH# 2006092096

STATE WATER RESOURCES
CONTROL BOARD
2006 SEP 22 PM 12:51
D/C - WATER RIGHTS
SACRAMENTO

Attached for your review and comment is the Notice of Preparation (NOP) for the Upper York Creek Ecosystem Restoration draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Jonathon Goldman
City of St. Helena
1480 Main Street
St. Helena, CA 94574

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

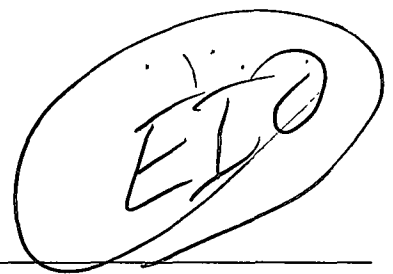
If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

Document Details Report
State Clearinghouse Data Base



SCH# 2006092096
Project Title Upper York Creek Ecosystem Restoration
Lead Agency St. Helena, City of

Type NOP Notice of Preparation

Description The City of St. Helena (city), together with the U.S. Army Corps of Engineers (Corps), is proposing to modify or remove Upper York Creek Dam for the purpose of preventing potentially detrimental sediment releases. The project will also allow fish passage to two upstream miles of spawning and rearing habitat for steelhead and restore approximately three acres of riparian and aquatic habitat. Additionally, the project will provide a long-term solution to prevent dam breach/failure and consequent catastrophic downstream flooding and debris flow.

Lead Agency Contact

Name Jonathon Goldman
Agency City of St. Helena
Phone (707) 968-2568 **Fax**
email
Address 1480 Main Street
City St. Helena **State** CA **Zip** 94574

Project Location

County Napa
City St. Helena
Region
Cross Streets Spring Mountain Road
Parcel No. 022-180-013
Township 8N **Range** 6W **Section** 26 **Base** MtDiablo

Proximity to:

Highways 128
Airports
Railways
Waterways York Creek, Napa River
Schools
Land Use Abandoned reservoir/zoning AW

Project Issues

**Reviewing
Agencies**

Date Received 09/19/2006 **Start of Review** 09/19/2006 **End of Review** 10/18/2006

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

Resources Agency

- ☒ **Resources Agency**
Nadell Gayou
- ☐ **Dept. of Boating & Waterways**
David Johnson
- ☐ **California Coastal Commission**
Elizabeth A. Fuchs
- ☐ **Colorado River Board**
Gerald R. Zimmerman
- ☒ **Dept. of Conservation**
Roseanne Taylor
- ☐ **California Energy Commission**
Paul Richins
- ☐ **Dept. of Forestry & Fire Protection**
Allen Robertson
- ☒ **Office of Historic Preservation**
Wayne Donaldson
- Dept of Parks & Recreation**
Environmental Stewardship Section
- ☐ **Reclamation Board**
DeeDee Jones
- ☐ **S.F. Bay Conservation & Dev't. Comm.**
Steve McAdam
- ☒ **Dept. of Water Resources**
Resources Agency
Nadell Gayou

☐ _____
Conservancy

Fish and Game

- ☐ **Depart. of Fish & Game**
Scott Flint
Environmental Services Division
- ☐ **Fish & Game Region 1**
Donald Koch
- ☐ **Fish & Game Region 2**
Banky Curtis

- ☒ **Fish & Game Region 3**
Robert Floerke
- ☐ **Fish & Game Region 4**
Julie Vance
- ☐ **Fish & Game Region 5**
Don Chadwick
Habitat Conservation Program
- ☐ **Fish & Game Region 6**
Gabrina Gatchel
Habitat Conservation Program
- ☐ **Fish & Game Region 6 I/M**
Tammy Allen
Inyo/Mono, Habitat Conservation Program
- ☐ **Dept. of Fish & Game M**
George Isaac
Marine Region

Other Departments

- ☐ **Food & Agriculture**
Steve Shaffer
Dept. of Food and Agriculture
- ☐ **Depart. of General Services**
Public School Construction
- ☐ **Dept. of General Services**
Robert Sleppy
Environmental Services Section
- ☐ **Dept. of Health Services**
Veronica Malloy
Dept. of Health/Drinking Water

Independent

Commissions, Boards

- ☐ **Delta Protection Commission**
Debby Eddy
- ☐ **Office of Emergency Services**
Dennis Castrillo
- ☐ **Governor's Office of Planning & Research**
State Clearinghouse
- ☒ **Native American Heritage Comm.**
Debbie Treadway

County: Napa

- ☐ **Public Utilities Commission**
Ken Lewis
- ☒ **State Lands Commission**
Jean Sarino
- ☐ **Tahoe Regional Planning Agency (TRPA)**
Cherry Jacques

Business, Trans & Housing

- ☐ **Caltrans - Division of Aeronautics**
Sandy Hesnard
- ☐ **Caltrans - Planning**
Terri Pencovic
- ☒ **California Highway Patrol**
Shirley Kelly
Office of Special Projects
- ☐ **Housing & Community Development**
Lisa Nichols
Housing Policy Division

Dept. of Transportation

- ☐ **Caltrans, District 1**
Rex Jackman
- ☐ **Caltrans, District 2**
Marcelino Gonzalez
- ☐ **Caltrans, District 3**
Jeff Pulverman
- ☒ **Caltrans, District 4**
Tim Sable
- ☐ **Caltrans, District 5**
David Murray
- ☐ **Caltrans, District 6**
Marc Bimbaum
- ☐ **Caltrans, District 7**
Cheryl J. Powell

SCH# 2006092096

Regional Water Quality Control Board (RWQCB)

- ☐ **RWQCB 1**
Cathleen Hudson
North Coast Region (1)
- ☒ **RWQCB 2**
Environmental Document Coordinator
San Francisco Bay Region (2)
- ☐ **RWQCB 3**
Central Coast Region (3)
- ☐ **RWQCB 4**
Teresa Rodgers
Los Angeles Region (4)
- ☒ **RWQCB 5S**
Central Valley Region (5)
- ☐ **RWQCB 5F**
Central Valley Region (5)
Fresno Branch Office
- ☐ **RWQCB 5R**
Central Valley Region (5)
Redding Branch Office
- ☐ **RWQCB 6**
Lahontan Region (6)
- ☐ **RWQCB 6V**
Lahontan Region (6)
Victorville Branch Office
- ☐ **RWQCB 7**
Colorado River Basin Region (7)
- ☐ **RWQCB 8**
Santa Ana Region (8)
- ☐ **RWQCB 9**
San Diego Region (9)

☐ **Other** _____

- ☐ **Caltrans, District 8**
Dan Kopulsky
- ☐ **Caltrans, District 9**
Gayle Rosander
- ☐ **Caltrans, District 10**
Tom Dumas
- ☐ **Caltrans, District 11**
Mario Orso
- ☐ **Caltrans, District 12**
Bob Joseph

Cal EPA

Air Resources Board

- ☐ **Airport Projects**
Jim Lerner
- ☐ **Transportation Projects**
Ravi Ramalingam
- ☐ **Industrial Projects**
Mike Tollstrup

- ☐ **California Integrated Waste Management Board**
Sue O'Leary
- ☐ **State Water Resources Control Board**
Jim Hockenberry
Division of Financial Assistance
- ☐ **State Water Resources Control Board**
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality
- ☒ **State Water Resources Control Board**
Steven Herrera
Division of Water Rights
- ☒ **Dept. of Toxic Substances Control**
CEQA Tracking Center
- ☐ **Department of Pesticide Regulation**

2006092096

**NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
UPPER YORK CREEK ECOSYSTEM RESTORATION PROJECT**

To: Interested Agencies, Parties, Organizations and Persons

From: City of St. Helena
1480 Main Street
St. Helena, CA 94574

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact
Report (DEIR)

PROPOSED PROJECT

The City of St. Helena (City), together with the U.S. Army Corps of Engineers (Corps), is proposing to modify or remove Upper York Creek Dam for the purpose of preventing potentially detrimental sediment releases. The project will also allow fish passage to two upstream miles of spawning and rearing habitat for steelhead and restore approximately three acres of riparian and aquatic habitat. Additionally, the project will provide a long-term solution to prevent dam breach/failure and consequent catastrophic downstream flooding and debris flow.

The City of St. Helena is the lead agency under the California Environmental Quality Act (CEQA) and will be preparing an environmental impact report (EIR) for the project. The City is requesting your input as to the scope and content of the environmental information to be evaluated in the DEIR. Responsible and trustee agencies, interested parties, organizations, and persons are invited to participate in the NOP consultation and the CEQA review process.

OTHER AGENCIES WITH REGULATORY AUTHORITY

NEPA Review

The U.S. Army Corps of Engineers is the lead agency under the National Environmental Policy Act (NEPA).

CEQA Responsible and Trustee Agencies

Bay Area Air Quality Management District
California Department of Fish and Game
San Francisco Bay Regional Water Quality Control Board
NOAA National Marine Fisheries Service
United States Fish and Wildlife Service

Agencies with Jurisdiction by Law

Napa County

Other Commenting Agencies

Caltrans
Napa County Resource Conservation District

PROJECT LOCATION

The proposed project will take place at upper York Creek dam and reservoir (see attached location map). The reservoir is located at 38° 30' 48" N, 122° 30' 9" W, in the SW ¼, Section 26, Range 6 West, Township 8 North, Mt. Diablo Base and Meridian of the St. Helena Quadrangle, St. Helena; Napa County, California (USGS). Sediment removed from the dam will be placed at one or more locations in or near the City of St. Helena (see description of proposed action below for details).

CURRENT CONDITIONS

York Creek

York Creek runs approximately 7.24 miles (Corps EA) from its headwaters to its confluence with the Napa River. It descends steeply over the first portion of its range then flattens out as it crosses the floodplain of the Napa River. York Creek drains a watershed of approximately 4.4 square miles (Watershed Information and Conservancy Center of Napa County).

At the site of the upper York Creek reservoir, the creek traverses a steep valley cut from serpentinite and sheared shale (Corps). The area is a mixture of hardwood / conifer forests and vineyards. Other land uses include open space and residential.

According to the Napa County Resource Conservation District, York Creek is one of the most significant spawning and rearing streams in the Napa River watershed for Central California Coast ESU steelhead, which are listed as threatened under the federal Endangered Species Act. The Napa River watershed is one of the most significant anadromous fish streams tributary to the San Francisco Bay.

The Upper Dam

The current dam was constructed in 1900 to expand water capacity for the City of St. Helena and the growing wine industry. The structure, part of the city's original water system, has remained essentially unaltered since construction. The earthen dam is 50 feet high, 140 feet long, and is composed of more than 12,000 cubic yards of material excavated to form the upper reservoir.. Both faces are protected with basaltic rip rap. It has a drop inlet pipe that leads through the base of the dam.

In 1922, the City of St. Helena purchased this property and the rest of the water delivery system from the St. Helena Water Company. In 1933, a concrete spillway was added adjacent to Spring Mountain Road. Both the dam and the spillway are considered historic properties (Anthropological Studies Center).

The Upper Reservoir

The upper reservoir originally had a capacity of 10,000,000 gallons and was used as a water source for the City of St. Helena. Over time, it has accumulated gravel

and other sediments. By 1993, too much sediment had accumulated to continue to use it as a water source, and now it has essentially no water retaining capacity. There is an estimated 26,000 cubic yards of sediment accumulated behind the dam. There have been four incidents of accidental, catastrophic release of sediment resulting in mortality of fish and other aquatic organisms as far as 2.5 miles downstream.

PROPOSED ACTION

The proposed removal or alteration of Upper York Creek Dam is a joint project of the City of St. Helena and the Corps. All of the action alternatives include riparian and riverine habitat restoration of the area disturbed by the original creation of the dam and reservoir. All of the action alternatives except creation of a fish ladder will include restoration of the natural hydrologic processes of York Creek, including moving sediment downstream in a routine way.

Based upon a feasibility analysis by the Corps, there are currently four alternatives being considered:

- No Project – The dam would remain unaltered. No habitat restoration would occur. The City of St. Helena would need to continue maintenance dredging to avoid destructive sediment release.
- Total removal of the dam – This alternative would allow creation of a 30-foot wide floodplain bench. It would require stabilization of the hillsides. 100% of the sediment currently accumulated behind the dam would be removed.
- Creating a small notch in the dam – This alternative allows restoration of the natural hydrologic functions of York Creek but without a floodplain bench. 95% of the sediment accumulated behind the dam would be removed. It is the most geologically stable alternative that allows restoration of York Creek's hydrology.
- Constructing a fish ladder through the dam – This alternative would create a concrete step-pool/weir fish ladder cut into the dam. 37% of the sediment accumulated behind the dam would be removed. The fish ladder would require on-going maintenance to prevent it from becoming clogged with sediment.

The City will determine the re-use and/or disposal of materials removed from the dam and reservoir according to the project alternative selected and, therefore, the amount of material to be placed. The material will be placed in some combination of the following locations:

- Use at a nearby private vineyard.
- Use in a City of St. Helena flood control project.
- Use in other City of St. Helena project(s).
- Storage in the Lower York Creek Reservoir.
- Disposal at an approved facility.

ENVIRONMENTAL ISSUES TO BE ANALYZED IN THE EIR

The City of St. Helena has determined that an EIR is necessary for this project and identified areas of particular concern based on an initial study and previous environmental documents, including the York Creek Diversion Structure Modification EIR, the Corps' Draft Upper York Creek Ecosystem Restoration Detailed Project Report, and the Corps' Draft Upper York Creek Ecosystem Restoration Environmental Assessment. The initial study (☐ is ☒ is not) attached.

Issues that have been identified for investigation in the EIR are:

- Aesthetics – temporary impacts from construction.
- Agriculture – possible loss of some productive land if dam and sediment materials are used for flood control.
- Air Quality – temporary impacts from construction.
- Biological Resources – the area may contain sensitive and listed species.
- Cultural Resources – the dam has been identified as a historical resource of local importance because of its connection with the development of the City of St. Helena and viticulture in the Napa Valley.
- Geology – due to presence of serpentine and sheared shale that are prone to instability.
- Hazards and Hazardous Materials – the dam was made from local soil and bedrock that may contain naturally-occurring asbestos in the mineral serpentine.
- Hydrology and Water Quality – along with preparation of the EIR, thorough hydrologic and geomorphic studies of York Creek will be performed to assess potential impacts with and without the project, particularly in relation to flooding in the lower regions of York Creek through the City of St. Helena. The EIR will address sediment delivery to the Napa River.
- Noise – temporary impacts from construction.
- Traffic and Transportation – temporary impacts during construction.

The project is not anticipated to have significant impacts to land use, mineral resources, public services, recreation, or utilities.

PUBLIC INFORMATION AND COMMENTS

Documents for Review

The following documents provide information about the proposed project and/or the project area:

"If York Creek Could Speak"

[http://city.ci.st-](http://city.ci.st-helena.ca.us/tmspublisher/images/aad/YorkCreek/YorkCreek.html)

[helena.ca.us/tmspublisher/images/aad/YorkCreek/YorkCreek.html](http://city.ci.st-helena.ca.us/tmspublisher/images/aad/YorkCreek/YorkCreek.html)

Initial Study for the York Creek Diversion Modification Project, Napa County, California

http://www.watershedrestoration.water.ca.gov/fishpassage/docs/york_initial_diversion%20structure_Jan%202003.pdf

Additionally, concurrent with this notice, the Corps is circulating a draft detailed project report and draft environmental assessment, which can be reviewed at:

St. Helena Public Library
1492 Library Lane
St. Helena, CA 94574

Public Meeting

The Corps and City of St. Helena will host a public meeting on Thursday, September 21, 2006, 6:00 to 8:00 pm, at:

St. Helena Public Library
1492 Library Lane
St. Helena, CA 94574

The purpose of the meeting is to give the public further information about the project and allow the public to raise any issues or concerns with either agency.

Comments

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Comments to City of St. Helena regarding the scope of the EIR and environmental issues to be considered should be sent to:

Jonathon Goldman, Director of Public Works and City Engineer
City of St. Helena
JonathonG@ci.st-helena.ca.us
1480 Main Street
St. Helena, CA 94574

Comments regarding the NEPA review should be sent to:

Joél Benegar, Project Planner
U.S. Army Corps of Engineers
San Francisco District
Joel.R.Benegar@spd02.Corps.army.mil
333 Market Street
San Francisco, CA 94105-2197

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000, SACRAMENTO, CA 95812-2000

(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: CITY OF ST HELENA

CITY OF ST HELENA
CITY HALL
1480 MAIN ST
ST HELENA, CA 94574

STATEMENT NO: S004740

SOURCE: YORK CREEK
TRIBUTARY TO: NAPA RIVER
COUNTY: NAPA
DIVERSION

WITHIN: SW¼ OF SE¼ SECTION 26, T8N, R6W, MB&M.

TELEPHONE NUMBER:
(707) 963-2741

YEAR OF FIRST USE: 1878
PARCEL NO:

A. Water is used under: Riparian claim _____ Pre 1914 right ☒ Other (explain): _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

(millions) ☒ Gallons _____ Acre-feet _____ Other _____
Amounts below are:

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996		0.35		0.26		1.20		2.73		2.18		1.48	8.20
1997		0.16		0.94		2.21		4.84		6.30		0.06	14.52
1998		0.87		0.34		0.38		3.60		5.16		3.83	14.20

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ☒ acres; Stockwatering _____; Domestic _____

Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) No change

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started: Non-potable water used to irrigate

b. ballfields in lieu of treated water.

c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☒ NO _____

- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: April 26, 1999 at St. Helena, California

SIGNATURE: _____

PRINTED NAME: Martin S. Oldford
(first name) (middle init.) (last name)

COMPANY NAME: City of St. Helena

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503

(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 004740

CITY OF ST HELENA WATER
1450 MAIN STREET
ST HELENA, CA 94574

TELEPHONE NUMBER:
(707) 963-2741

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: YORK CREEK

TRIBUTARY TO: NAPA RIVER

COUNTY: NAPA

DIVERSION

WITHIN: SW1/4 OF SE1/4 SECTION 26, T08N, R06W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet
☒ Cu. Ft. Per Min. (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990	4	10	8	6	4	2	1	1	1	1	2	4	44
1991	5	7	10	10	8	6	2	2	2	2	4	6	64
1992	5	8	8	10	10	7	4	2	2	2	4	4	66

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation AREA IRRIGATED UNKNOWN APPROX 500 ACRES.

Stockwatering _____

Domestic _____

Other (specify) FRESH WATER SOURCE FOR UNK. USED ACRES.

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE.

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5-3-93, 19 93, at ST. Helena, California

Signature: Robert Brunell

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

S4740

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water City of St. Helena Water Enterprise
Address 1480 Main Street, St. Helena, California 94574
B. Name of body of water at point of diversion York Creek 2-009-17-00-0
Tributary to Napa River

C. Place of diversion SW 1/4 SE 1/4 Section 26, Township 8 N, Range 6 W, M.D. B&M,
Napa County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Lower Reservoir - York Creek Diversion

E. Capacity of diversion works 2500 GPM cubic feet per second
Capacity of storage reservoir 24.44 acre-feet gallons per minute
State quantity of water used each month in gallons or acre-feet
gallons
acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1966	3.25	0.00	1.80	5.15	6.88	7.35	6.58	2.65	0.94	2.18	0.45	1.73	38.96 Ac.Ft.

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. 4500 people are served by the water system. There are other sources.

Maximum annual water use in recent years 39.6 acre-feet gallons
Minimum annual water use in recent years 23.9 acre-feet acre-feet
Type of diversion facility: gravity ☒, pump ☐

Method of measurement: weir ☐, flume ☐, electric power meter ☐, water meter ☒, estimate ☐

F. Purpose of use (what water is being used for) Municipal water supply.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
City of St. Helena

H. Year of first use as nearly as known 1878

I. Name of person filing statement Charles A. Johnson
Position Director of Public Works Organization City of St. Helena
Address 1480 Main Street, St. Helena, California, 94574

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed April 14, 1969

Signature Charles A. Johnson

See Instructions on Reverse Side